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*Attorneys for Defendant*

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF MONTANA  
MISSOULA DIVISION

UNITED STATES OF AMERICA,

Plaintiff,

v.

TYLER ROE,

Defendant.

No. CR-11-37-M-DWM

**NOTICE OF INTENT TO RAISE  
AFFIRMATIVE DEFENSE OF  
ESTOPPEL**

**MOTION**

Tyler Roe (Roe), through his counsel of record, pursuant to Rule 12(e) of the Federal Rules of Criminal Procedure, hereby notifies the Government and the Court of his intent to rely on the affirmative defense of Estoppel.

RESPECTFULLY submitted this 3rd day of August, 2011.

SMITH & STEPHENS, P.C.  
*Attorneys for Defendant*

By: /s/ Jordan Kilby  
Jordan Kilby

CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the foregoing was served on the following electronically:

Tara J. Elliot  
U.S. Attorney's Office  
P.O. Box 8329  
Missoula, MT 59802

☐ U.S. Mail  
☐ Hand Delivery  
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Tyler Roe  
210 Battle Ridge Drive  
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☒ U.S. Mail  
☐ Hand Delivery  
☐ Federal Express  
☐ Email

DATED this 3rd day of August, 2011.

/s/Jordan Kilby  
Jordan Kilby